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Rights of indigenous peoples

Argentina, Bolivia (Plurinational State of), Ecuador, Guatemala, Nicaragua and Venezuela (Bolivarian Republic of): draft resolution

Rights of indigenous peoples

The General Assembly,

Recalling all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council relating to the rights of indigenous peoples, reaffirming its resolutions 65/198 of 21 December 2010, 66/142 of 19 December 2011, 67/153 of 20 December 2012, 68/149 of 18 December 2013, 69/2 of 22 September 2014, 69/159 of 18 December 2014, 70/232 of 23 December 2015, 71/178 of 19 December 2016 and 71/321 of 8 September 2017, and recalling Human Rights Council resolutions 27/13 of 25 September 2014,[1] 30/4 of 1 October 2015,[2] 33/12 and 33/13 of 29 September 2016[3] and 36/14 of 28 September 2017,

Reaffirming the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held in New York on 22 and 23 September 2014,[4] in which Heads of State and Government, ministers and representatives of Member States reiterated the important and continuing role of the United Nations in promoting and protecting the rights of indigenous peoples, recalling the inclusive preparatory process for the high-level plenary meeting, including the comprehensive engagement of the representatives of indigenous peoples, and welcoming and reaffirming the commitments, measures and efforts undertaken by States, the United Nations system, indigenous peoples and other actors in its implementation,

Encouraging the active engagement of indigenous peoples in the implementation of the outcome document of the high-level plenary meeting of the

[1] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53A* and corrigenda (A/69/53/Add.1 and Corr.1 and 2), chap. IV, sect. A.
[2] Ibid., *Seventieth Session, Supplement No. 53A* (A/70/53/Add.1), chap. III.
[3] Ibid., *Seventy-first Session, Supplement No. 53A* and corrigendum (A/71/53/Add.1 and Corr.1), chap. II.
[4] Resolution 69/2.

Please recycle

General Assembly known as the World Conference on Indigenous Peoples, including at the regional and global levels,

Bearing in mind the 2030 Agenda for Sustainable Development,[5] and stressing the need to ensure that no one is left behind, including indigenous peoples, who will benefit from and participate in the implementation of the 2030 Agenda, and encouraging Member States to give due consideration to all the rights of indigenous peoples while implementing the 2030 Agenda,

Reaffirming the United Nations Declaration on the Rights of Indigenous Peoples,[6] which addresses their individual and collective rights,

Stressing the importance of promoting and pursuing the objectives of the United Nations Declaration on the Rights of Indigenous Peoples also through international cooperation to support national and regional efforts to achieve the ends of the Declaration, including the right to maintain and strengthen the distinct political, legal, economic, social and cultural institutions of indigenous peoples and the right to participate fully, if they so choose, in the political, economic, social and cultural life of the State,

Bearing in mind that the General Assembly resolution 71/1 of 19 September 2016, the New York Declaration for Refugees and Migrants, addresses the special needs of all people in vulnerable situations who are travelling within large movements of refugees and migrants, including indigenous peoples,

Welcoming the convening of the high-level event to mark the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples during its seventy-first session, held on 25 April 2017, which took stock of the achievements of the preceding 10 years and assessed the remaining challenges for the rights of indigenous peoples, and also considered the further follow-up to the Declaration,

Welcoming also the consideration of the empowerment of indigenous women as the focus area of the sixty-first session of the Commission on the Status of Women and the recognition by the Commission that the economic empowerment, inclusion and development of indigenous women, including through the establishment of indigenous-owned businesses, can enable them to improve their social, cultural, civil and political engagement, achieve greater economic independence and build more sustainable and resilient communities, as well as the urging on the part of the Commission that Governments take measures to promote the economic empowerment of indigenous women, including by ensuring access to quality and inclusive education and meaningful participation in the economy by addressing the multiple and intersecting forms of discrimination and barriers they face, including violence, and promote their participation in relevant decision-making processes at all levels and in all areas, while respecting and protecting their traditional and ancestral knowledge, and noting the importance of the United Nations Declaration on the Rights of Indigenous Peoples for indigenous women and girls,

Recognizing that violence against indigenous women and girls has a negative impact on their enjoyment of human rights and fundamental freedoms and constitutes a major impediment to women's full, equal and effective participation in society, the economy and political decision-making, and in this regard recalling Human Rights Council resolution 32/19 of 1 July 2016, entitled "Accelerating efforts to eliminate violence against women: preventing and responding to violence

[5] Resolution 70/1.

[6] Resolution 61/295, annex.

against women and girls, including indigenous women and girls",[7] which brings closer attention to this issue,

Bearing in mind the importance of empowering and building the capacity of indigenous women and youth, including their full and effective participation in decision-making processes in matters that affect them directly, including policies, programmes and resources, where relevant, that target the well-being of indigenous women and youth, in particular in the areas of health, education, employment and the transmission of traditional knowledge, languages and practices, and the importance of taking measures to promote awareness and understanding of their rights,

Deeply concerned at the vast number of endangered languages, in particular indigenous languages, and stressing that, despite the continuing efforts, there is an urgent need to preserve, promote and revitalize indigenous languages,

Recognizing the importance to indigenous peoples of revitalizing, using, developing and transmitting to future generations their histories, languages, oral traditions, philosophies, writing systems and literature,

Expressing concern that, in some cases, suicide rates in indigenous peoples' communities, in particular among indigenous youth and children, are significantly higher than in the general population,

Bearing in mind the importance of promoting respect for the rights of indigenous children, in particular combating the worst forms of child labour, in accordance with international law, including relevant human rights law and international labour law obligations,

Recognizing the importance of access to justice in the promotion and protection of the rights of indigenous peoples and individuals and the need to examine and take steps to remove obstacles to justice, especially for indigenous women, indigenous youth and indigenous persons with disabilities,

Underlining the responsibility of transnational corporations and other business enterprises to respect all human rights, applicable laws and international principles[8] and operate transparently and in a socially and environmentally responsible manner, and emphasizing the need to refrain from negatively affecting the well-being of indigenous peoples and to take further action towards corporate responsibility and accountability, including the prevention, mitigation and remediation of human rights abuses,

Recognizing the value and the diversity of the cultures and the form of social organization of indigenous peoples and their holistic traditional knowledge of their lands, natural resources and environment,

Recognizing also the importance of traditional sustainable agricultural practices, including traditional seed supply systems, as well as access to credit and other financial services, markets, secure land tenure, health care, social services, education, training, knowledge and appropriate and affordable technologies, including efficient irrigation, the reuse of treated wastewater and water harvesting and storage for indigenous peoples and others living in rural areas,

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[7] See *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53* (A/71/53), chap. V, sect. A.

[8] Including the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework (A/HRC/17/31, annex).

Recognizing further the importance of facilitating indigenous peoples' livelihoods, which may be achieved by, inter alia, the recognition of their traditions, adequate public policies and economic empowerment,

Recognizing that the economic empowerment, inclusion and development of indigenous peoples, including through the establishment of indigenous-owned businesses, can enable them to improve their social, cultural, civil and political engagement, achieve greater economic independence and build more sustainable and resilient communities, and noting the contribution of indigenous peoples to the broader economy,

Concerned about the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators and about the impediments to their full enjoyment of their rights, and stressing the need to pay particular attention to the rights and special needs of indigenous women, children, youth, older persons and persons with disabilities, as set out in the United Nations Declaration on the Rights of Indigenous Peoples,

1. *Notes with appreciation* the work of the Expert Mechanism on the Rights of Indigenous Peoples, the Permanent Forum on Indigenous Issues and the Special Rapporteur of the Human Rights Council on the rights of indigenous peoples, takes note of her report,[9] and encourages all Governments to respond favourably to her requests for visits, and to support the work of the Permanent Forum, with its increasingly demanding programme of work, and the Expert Mechanism, whose revised mandate has been expanded;

2. *Urges* Governments and the United Nations system, in consultation and cooperation with indigenous peoples through their representatives and institutions, to continue to implement, when appropriate, measures at the national level, including legislative, policy and administrative measures, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples[6] and to promote awareness of it among all sectors of society, including members of legislatures, the judiciary and the civil service, as well as among indigenous peoples, and invites international and regional organizations, within their respective mandates, national human rights institutions, where they exist, civil society, including non-governmental organizations, and other relevant actors to contribute to those efforts;

3. *Underscores* the importance of implementing the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,[4] and reiterates the commitment of Member States to cooperating with indigenous peoples, through their own representative institutions, to develop and implement national action plans, strategies or other measures, where relevant, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples;

4. *Encourages* Member States to give due consideration to all the rights of indigenous peoples in fulfilling the commitments undertaken in the 2030 Agenda for Sustainable Development[5] and in the elaboration of national programmes;

5. *Encourages* the leadership of the Secretary-General, and that of the Under-Secretary-General for Economic and Social Affairs as the responsible senior official of the United Nations system, in implementing and following up on the a system-wide action plan to ensure a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples, raising awareness of the rights of indigenous peoples and increasing the coherence of the activities of

[9] A/71/229.

the system in this regard, and encourages the funds, programmes and specialized agencies of the United Nations system, resident coordinators and United Nations country teams to implement the action plan in full alignment with national development needs and priorities;

6. *Encourages* resident coordinators and United Nations country teams to ensure the full and effective participation of indigenous peoples, including indigenous elders, women, children, youth and indigenous persons with disabilities, in the preparation of the United Nations Development Assistance Frameworks and country programme action plans;

7. *Encourages* Member States to work towards achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples in the light of the tenth anniversary of the adoption of the Declaration;

8. *Calls upon* those States that have not yet ratified or acceded to the Indigenous and Tribal Peoples Convention, 1989 (No. 169), of the International Labour Organization[10] to consider doing so;

9. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the Trust Fund on Indigenous Issues, the United Nations Voluntary Fund for Indigenous Peoples and the United Nations Indigenous Peoples' Partnership, invites indigenous organizations and private institutions and individuals to do likewise, and notes the importance of accessibility, accountability, transparency and balanced geographical distribution in the management of these funds;

10. *Decides* to continue to observe in New York, Geneva and other United Nations offices every year on 9 August the International Day of Indigenous Peoples, requests the Secretary-General to support the observance of the Day from within existing resources, and encourages Governments to observe the Day at the national level;

11. *Reaffirms* the proclamation of the year of 2019 as the International Year of Indigenous Languages, in order to draw attention to the critical loss of indigenous languages and the urgent need to preserve, revitalize and promote indigenous languages and to take further urgent steps to that end at the national and international levels;

12. *Encourages* the United Nations Educational, Scientific and Cultural Organization to lead the preparations for the International Year of Indigenous Languages in 2019, in collaboration with other relevant agencies and indigenous peoples;

13. *Encourages* States to consider including in their reports related to indigenous peoples, in particular indigenous women, information on the progress made and challenges in the implementation of Commission on the Status of Women resolutions 49/7 of 11 March 2005, entitled "Indigenous women: beyond the ten-year review of the Beijing Declaration and Platform for Action",[11] and 56/4 of 9 March 2012, entitled "Indigenous women: key actors in poverty and hunger eradication";[12]

14. *Also encourages* States to consider including in their voluntary national reviews for the high-level political forum on sustainable development and their national and global reports information related to indigenous peoples on the

[10] United Nations, *Treaty Series*, vol. 1650, No. 28383.

[11] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. D.

[12] Ibid., 2012, *Supplement No. 7* and corrigendum (E/2012/27 and Corr.1), chap. I, sect. D.

progress made and challenges in the implementation of the 2030 Agenda for Sustainable Development, bearing in mind paragraphs 78 and 79 of the 2030 Agenda, and further encourages States to compile disaggregated data on the basis of indigenous identifiers, as appropriate, to measure progress and to ensure that no one is left behind;

15. *Encourages* the Secretary-General to include information pertinent to indigenous peoples in forthcoming annual reports on progress towards the Sustainable Development Goals;

16. *Stresses* the need to strengthen the commitment of States and the entities of the United Nations system to mainstream the promotion and protection of the rights of indigenous peoples into development policies and programmes at the national, regional and international levels, and encourages them to give due consideration to the rights of indigenous peoples in achieving the Sustainable Development Goals of the 2030 Agenda for Sustainable Development, through inclusive mechanisms for consultation with and the participation and representation of indigenous peoples in local, regional, national and international processes and bodies relating to the Goals;

17. *Invites* the Expert Mechanism, the Permanent Forum and the Special Rapporteur to give due consideration, within their mandates, to the rights of indigenous peoples as related to the implementation of the 2030 Agenda;

18. *Encourages* the high-level political forum on sustainable development to consider, in its thematic reviews, the substantive inputs on indigenous issues of the Permanent Forum;

19. *Underlines* the need to intensify efforts, in cooperation with indigenous peoples, to prevent and eliminate all forms of violence and discrimination against indigenous women, children, youth, older persons and persons with disabilities, and to support measures that will ensure their empowerment and full and effective participation in decision-making processes at all levels and in all areas and eliminate structural and legal barriers to their full, equal and effective participation in political, economic, social and cultural life;

20. *Reaffirms* the importance of effective accountability with regard to violence against indigenous women and girls, including sexual violence, abuse and exploitation, and of taking adequate measures to combat such violence;

21. *Welcomes* the consideration by the Commission on the Status of Women of the empowerment of indigenous women as the focus area of its sixty-first session and, in this regard, the call, in its agreed conclusions, for measures to promote the economic empowerment of indigenous women, including by ensuring access to quality and inclusive education and meaningful participation in the economy by addressing the multiple and intersecting forms of discrimination and barriers they face, including violence, and to promote their participation in relevant decision-making processes at all levels and in all areas, while respecting and protecting their traditional and ancestral knowledge, and noting the importance for indigenous women and girls of the United Nations Declaration on the Rights of Indigenous Peoples, and encourages States to give serious consideration to the above-mentioned recommendations;

22. *Requests* the Secretary-General and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) to prepare a report by 2018 on the situation of indigenous women's empowerment, taking into consideration the views of the Permanent Forum, the Expert Mechanism o, the Special Rapporteur and indigenous women's organizations;

23. *Encourages* Governments to redouble efforts to combat the worst forms of child labour, both in legislation and in practice, in the context of respect for the human rights of indigenous children, including through international cooperation, as appropriate;

24. *Encourages* States and entities of the United Nations system to strengthen international cooperation, including to address the disadvantages faced by indigenous peoples, and to increase technical cooperation and financial assistance in this regard;

25. *Encourages* the World Health Organization, the United Nations Children's Fund and other relevant United Nations agencies, funds and programmes, in accordance with their mandates, to carry out research and evidence-gathering on the prevalence of suicide among indigenous youth and children and good practices on its prevention and to consider developing, as appropriate, strategies or policies, consistent with national priorities, in cooperation with Member States, to tackle it, including through consultation with indigenous peoples, in particular indigenous youth organizations;

26. *Takes note with appreciation* of the work undertaken thus far, led by the Presidents of the General Assembly at its seventieth and seventy-first sessions, in conducting consultations with Member States, indigenous peoples' representatives and institutions from all regions of the world, and existing mechanisms of the United Nations, on possible measures to enable the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them, which led to the adoption of resolution 71/321, and recalls its decision, in that resolution, to continue its consideration of possible further measures necessary to enhance the participation of indigenous peoples' representatives and institutions in relevant United Nations meetings on issues affecting them at its seventy-fifth session, taking into account the achievements in that regard of other bodies and organizations throughout the United Nations system, to be preceded by consultations with indigenous peoples' representatives and institutions from all regions of the world as an input to the intergovernmental process;

27. *Decides* to continue its consideration of the question at its seventy-third session, under the item entitled "Rights of indigenous peoples", and to maintain in the provisional agenda the sub-item entitled "Follow-up to the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples".